



2014-2016 Housing Levy A&F Plan

Rental Housing Program

Development Siting Policy

Proposal: *Allow project sponsors to request, and OH to provide, a determination that a project location meets the development siting policy at the time of a Purchase and Sale Agreement. This determination would be incorporated into OH's consistency letter at the time of application for funding.*

2013 UPDATE TO THE 2009-2013 CONSOLIDATED PLAN, Section 1 Housing Policies

General Policy

OH will not fund, or certify as consistent with the Consolidated Plan, a project if the proposed number of subsidized rental housing units for extremely low-income households would exceed the capacity for additional subsidized rental housing units for extremely low-income households in the Census block group where the proposed project is located, except as otherwise specified below. Capacity for additional subsidized rental housing units for extremely low-income households is defined as:

- The sum of the total number of housing units in the Census block group according to the latest data available from the Department of Planning and Development (DPD) (calculated based on Decennial Census data plus net new residential units) plus the total number of rental housing units in the proposed project, multiplied by 20%;
- Less the number of existing subsidized rental housing units for extremely low-income households in the Census block group according to the latest data available from OH (includes projects with capital subsidies from public agencies; i.e. City-funded projects as well as non-City funded projects as reported periodically by county, state and federal agencies).

The siting policy does not apply to Yesler Terrace Replacement Housing, or to projects located within the Downtown, Uptown and South Lake Union Urban Centers because of the special nature of these Urban Centers as high priority areas for affordable housing investment.

Alternative Conditions

A project may be consistent with the Consolidated Plan and may be funded despite exceeding capacity, as defined above, if the OH Director finds that one or more of the following conditions are met:

- The proposed project is a neighborhood-supported project. To be considered a neighborhood-supported project, the proposed project must be supported by a reasonable

number of immediate neighbors and/or affected neighborhood organizations. The OH Director's determination will be based on review of results of the community notification process as described in the Neighborhood Notification and Community Relations Policy section (see below) including notification of immediate neighbors, consultation with established community groups, public meetings, and/or other means of community notification as OH deems appropriate. In accordance with national, state and local fair housing laws, OH disregards, in evaluating neighborhood support for the project, any opposition that appears to be based on characteristics of future residents of a project if discrimination based on such characteristics is prohibited.

- Additional market-rate housing development is planned in the Census block group, and the proposed project would not result in more than 20% of total housing units in the block group being subsidized rental housing for extremely low-income households, based on an adjusted estimate of total housing units that includes units for which building permits have been issued (based on the Department of Planning & Development's latest report of building permit data) or other such documentation as deemed appropriate by OH.
- Natural or manmade barriers (e.g. a bluff, waterway, or freeway) physically separate the proposed project from existing concentrations of subsidized rental housing for extremely low-income households.

A project sponsor may request a determination from OH that a project meets the requirements of this policy, prior to a request for a determination of consistency with the Consolidated Plan, at the time that the sponsor intends to execute a purchase and sale agreement for a proposed project site. OH will incorporate the prior Siting Policy determination when responding to a subsequent request for a letter of consistency with Seattle housing policies, even if the number of housing units in the Census Block group has changed since the prior Siting Policy determination.

The Analysis of Impediments to Fair Housing prepared for the City of Seattle, which is available on OH's ~~Consolidated Plan webpage~~[website](#), includes a thorough overview of federal, state and local fair housing law. OH's Siting Policy is a tool for addressing barriers to fair housing. One goal is to ensure that housing for Seattle's lowest-income and most vulnerable populations is available throughout the City, including in our most amenity-rich neighborhoods in terms of transit, schools, parks and retail.

In accordance with the Fair Housing Act, Title 42, Chapter 45, Subchapter I, Section 3604, the OH Director may make reasonable accommodations specific to the Siting Policy when such accommodations may be necessary to afford handicapped persons equal opportunity to use and enjoy a dwelling.